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Meeting of States Parties

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Annual report of the International Tribunal for the Law of the Sea for 2001

Presented by the Registrar

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I. Introduction

1. The present report of the International Tribunal for the Law of the Sea is submitted to the Meeting of States Parties under rule 6, paragraph 3 (d), of the Rules of Procedure for Meetings of States Parties. The report covers the period from 1 January to 31 December 2001.

2. The Tribunal was established by the 1982 United Nations Convention on the Law of the Sea (hereinafter "the Convention"). It functions in accordance with the relevant provisions of Part XV and Part XI of the Convention, the Statute (hereinafter "the Statute"), as contained in Annex VI to the Convention, and the Rules of the Tribunal (hereinafter "the Rules").

3. The Tribunal is composed of 21 members, elected by the States Parties to the Convention in the manner provided for by article 4 of the Statute.

4. On 16 May 2001, the Eleventh Meeting of States Parties elected Mr. Guangjian Xu (China) to fill the vacancy left by the death on 10 October 2000 of Judge Lihai Zhao (China). On 11 September 2001, Judge Edward A. Laing (Belize) passed away. He had been elected for a term of six years commencing 1 October 1996. The election to fill the vacancy will be held during the Twelfth Meeting of States Parties. Allowing for these changes, the composition of the Tribunal is as follows:

Order of precedence	*Country*	*Date of expiry of term of office*
President		
P. Chandrasekhara Rao	India	30 September 2008
Vice-President		
L. Dolliver M. Nelson	Grenada	30 September 2005
Judges		
Hugo Caminos	Argentina	30 September 2002
Vicente Marotta Rangel	Brazil	30 September 2008
Alexander Yankov	Bulgaria	30 September 2002
Soji Yamamoto	Japan	30 September 2005
Anatoly Lazarevich Kolodkin	Russian Federation	30 September 2008
Choon-Ho Park	Republic of Korea	30 September 2005
Paul Bamela Engo	Cameroon	30 September 2008
Thomas A. Mensah	Ghana	30 September 2005
Joseph Akl	Lebanon	30 September 2008
David Anderson	United Kingdom	30 September 2005

Order of precedence	*Country*	*Date of expiry of term of office*
Budislav Vukas	Croatia	30 September 2005
Rüdiger Wolfrum	Germany	30 September 2008
Tullio Treves	Italy	30 September 2002
Mohamed Mouldi Marsit	Tunisia	30 September 2005
Gudmundur Eiriksson	Iceland	30 September 2002
Tafsir Malick Ndiaye	Senegal	30 September 2002
José Luis Jesus	Cape Verde	30 September 2008
Guangjian Xu	China	30 September 2002

5. The Registrar is Mr. Philippe Gautier (Belgium). The post of Deputy Registrar is vacant.

II. Organization of the Tribunal

A. Changes in the composition of the Tribunal

6. Acting pursuant to article 6, paragraph 1, of the Statute, the Registrar, in a note verbale dated 8 October 2001, informed States Parties to the Convention of the vacancy which had occurred in the Tribunal because of the death of Judge Edward A. Laing and invited Governments of States Parties to submit between 12 December 2001 and 11 February 2002 the names of candidates they might wish to nominate for election as a member of the Tribunal. By the said note verbale, the Registrar informed States Parties that the member elected to replace Judge Edward A. Laing would serve until 30 September 2002.

7. By a note verbale dated 15 November 2001, the Registrar informed States Parties to the Convention that the President of the Tribunal, after consultation with the President of the Meeting of States Parties, Cristián Maquieira, had considered it advisable to have the election held during the Twelfth Meeting of States Parties and requested States Parties to send their comments in that regard no later than 14 December 2001. No comment was received by that date and, consequently, the election to fill the vacancy left by the death of Judge Edward A. Laing will take place during the Twelfth Meeting of States Parties.

8. The Eleventh Meeting of States Parties decided that the triennial election of seven members of the Tribunal whose terms of office were to expire on 30 September 2002 would be held during the Twelfth Meeting of States Parties.[1]

9. Acting pursuant to article 4, paragraph 2, of the Statute, the Registrar, in a note verbale dated 30 November 2001, invited Governments of States Parties to the Convention to submit between 5 December 2001 and 4 February 2002 the names of candidates they might wish to nominate for election as members of the Tribunal.

B. Solemn declaration

10. Pursuant to article 11 of the Statute, every member of the Tribunal is required, before taking up his duties, to make a solemn declaration that he will exercise his powers impartially and conscientiously. The declaration is to be made at the first public sitting at which the member is present.

11. On 17 September 2001, Judge Guangjian Xu made the solemn declaration provided for in article 5 of the Rules at a public sitting of the Tribunal.

C. Election of the Registrar

12. On 30 June 2001, Mr. Gritakumar E. Chitty (Sri Lanka) ended his term of office as Registrar of the Tribunal.

13. In accordance with article 32 of the Rules of the Tribunal, the Registrar is elected from among candidates nominated by members.

14. On 21 September 2001, the Tribunal elected Mr. Philippe Gautier (Belgium) as the Registrar of the Tribunal for a term of five years. Prior to his election as the Registrar, Mr. Gautier had served as the Deputy Registrar of the Tribunal from 1997 to 2001. He began his career in the Ministry of Foreign Affairs of Belgium (1984-1997), where he served as Head of the Treaties Division (1995-1997) and as Head of the Law of the Sea Office (1991-1995). He is also a Visiting Professor at the Catholic University of Louvain.

15. At its twelfth session, the Tribunal conveyed to the former Registrar its appreciation for his contribution to the work of the Tribunal.

III. Chambers

A. Seabed Disputes Chamber

16. In accordance with article 35, paragraph 1, of the Statute, the Seabed Disputes Chamber consists of 11 judges selected by the members of the Tribunal from among themselves. The members of the Chamber are selected triennially. During 2000 and 2001, two vacancies occurred in the Seabed Disputes Chamber due to the death of Judges Lihai Zhao and Edward A. Laing, who had been members of the Chamber. Article 35, paragraph 6, of the Statute provides that, if a vacancy occurs in the Chamber, the Tribunal selects a successor from among its elected members, who will hold office for the remainder of his predecessor's term. At its twelfth session, the Tribunal selected Judges Hugo Caminos and Guangjian Xu to fill the vacancies. Allowing for this change, the composition of the Chamber, in order of precedence, is as follows: Judge Treves, President; Judges Caminos, Marotta Rangel, Yamamoto, Kolodkin, Park, Bamela Engo, Vukas, Wolfrum, Marsit and Xu, members.

17. The terms of office of the members of the Chamber expire on 30 September 2002.

18. During the period under review, the Seabed Disputes Chamber examined the rules of the Tribunal applicable to the Seabed Disputes Chamber with a view to ensuring that the Chamber would be fully prepared to deal with a case or a request for an advisory opinion.

B. Special chambers

1. Chamber of Summary Procedure

19. The Chamber of Summary Procedure is established in accordance with article 15, paragraph 3, of the Statute and consists of five members and two alternates. In accordance with article 28 of the Rules, the President and the Vice-President of the Tribunal are ex officio members of the Chamber, with the President of the Tribunal serving as President of the Chamber. The Chamber is constituted annually.

20. During the twelfth session of the Tribunal, on 21 September 2001, the Chamber was constituted for the period ending on 30 September 2002. The members of the Chamber, in order of precedence, are: President Chandrasekhara Rao; Vice-President Nelson; Judges Vukas, Treves and Jesus, members; Judges Caminos and Akl, alternates.

2. Chamber for Fisheries Disputes

21. The Chamber for Fisheries Disputes, established in accordance with article 15, paragraph 1, of the Statute, consists of seven members. As decided by the Tribunal, the members of the Chamber are selected for a three-year term.

22. The composition of the Chamber for Fisheries Disputes, in order of precedence, is as follows: Judge Eiriksson, President; Judges Caminos, Yamamoto, Kolodkin, Park, Ndiaye and Jesus, members.

23. The terms of office of the members of the Chamber expire on 30 September 2002.

3. Chamber for Marine Environment Disputes

24. The Chamber for Marine Environment Disputes, established in accordance with article 15, paragraph 1, of the Statute, consists of seven members. As decided by the Tribunal, the members of the Chamber are selected for a three-year term.

25. The composition of the Chamber for Marine Environment Disputes, in order of precedence, is as follows: Judge Yankov, President; Judges Marotta Rangel, Bamela Engo, Mensah, Akl, Anderson and Vukas, members.

26. The terms of office of the members of the Chamber expire on 30 September 2002.

4. Chamber under article 15, paragraph 2, of the Statute

27. Pursuant to article 15, paragraph 2, of the Statute, the Tribunal shall form a chamber for dealing with a particular dispute, if the parties so request. The composition of such a chamber is determined by the Tribunal with the approval of the parties in the manner provided for in article 30 of the Rules.

28. By Order dated 20 December 2000, the Tribunal decided to accede to the request of Chile and the European Community to form a special chamber of five judges to deal with the case between Chile and the European Community concerning the conservation and sustainable exploitation of swordfish stocks in the South-Eastern Pacific Ocean. This was the first time that a case had been submitted to a special chamber of the Tribunal.

29. By separate letters dated 19 December 2000, Chile, in exercise of its right under article 17 of the Statute, notified its choice of Francisco Orrego Vicuña as judge ad hoc and the European Community confirmed the choice.

30. The composition of the Special Chamber to deal with the case is as follows: President Chandrasekhara Rao; Judges Caminos, Yankov and Wolfrum and Judge ad hoc Orrego Vicuña, members.

IV. Meetings of the Tribunal

31. During the period under review, the Tribunal met from 5 to 20 April 2001 to deal with the "*Grand Prince*" *Case*; and from 18 November to 3 December 2001 to deal with the *MOX Plant Case*. The Tribunal held two sessions devoted essentially to administrative matters and legal matters not directly related to cases. The eleventh session of the Tribunal was held from 5 to 16 March 2001 and the twelfth session from 17 to 28 September 2001.

V. Judicial work of the Tribunal in 2001

A. *Case concerning the Conservation and Sustainable Exploitation of Swordfish Stocks in the South-Eastern Pacific Ocean (Chile/European Community)*

32. By an exchange of letters dated 18 and 19 December 2000, Chile and the European Community agreed to submit a dispute concerning the conservation and sustainable exploitation of swordfish stocks in the South-Eastern Pacific Ocean to a special chamber of the Tribunal to be formed in accordance with article 15, paragraph 2, of the Statute. By Order dated 20 December 2000, the Tribunal decided to accede to the request of the parties to form a special chamber to deal with the case and determined the composition of the Special Chamber with their approval.[2] By the same Order, the Tribunal made provision in respect of preliminary objections and for the filing of the written pleadings.

33. By separate letters dated 9 March 2001, the parties informed the President of the Special Chamber that they had reached a provisional arrangement concerning the dispute and requested that the proceedings before the Chamber be suspended. In their letters, each party reserved its right to revive the proceedings at any time. Further to the request of the parties, the President of the Special Chamber, by Order dated 15 March 2001, extended the time limit for making preliminary objections. Under the Order, the time limit of 90 days for the making of preliminary objections would commence from 1 January 2004 and each party would have the right to request that the time limit should begin to apply from any date prior to 1 January 2004.

B. *The "Grand Prince" Case (Belize v. France)*

34. On 21 March 2001, an Application under article 292 of the Convention was filed on behalf of Belize against France for the prompt release of the fishing vessel *Grand Prince*, flying the flag of Belize. The Application was entered in the List of Cases as Case No. 8 and named the "*Grand Prince*" *Case*.

35. On 28 March 2001, the Government of France filed observations regarding the Application filed on behalf of Belize.

36. By Order dated 21 March 2001, the President fixed 5 and 6 April 2001 as the dates for the hearing.

37. On 4 April 2001, France nominated Jean-Pierre Cot as judge ad hoc. Mr. Cot was admitted to participate in the case as judge ad hoc after having made a solemn declaration at a public sitting of the Tribunal held on 5 April 2001.

38. Prior to the opening of the hearing, the Tribunal held initial deliberations on 5 April 2001.

39. Three public sittings to hear the oral arguments of the parties and to present evidence were held on 5 and 6 April 2001.

40. On 20 April 2001, the Tribunal delivered its judgement in the case.

C. *The "Chaisiri Reefer 2" Case (Panama v. Yemen)*

41. On 3 July 2001, an Application under article 292 of the Convention was filed on behalf of Panama against Yemen for the prompt release of the *Chaisiri Reefer 2*, a vessel flying the flag of Panama, its cargo and crew. The Application was entered in the List of Cases as Case No. 9 and named the "*Chaisiri Reefer 2*" *Case*.

42. Following an agreement between Panama and Yemen, the President of the Tribunal, by Order dated 13 July 2001, placed on record the discontinuance of the proceedings and directed the removal of the case from the List of Cases.

D. *The MOX Plant Case (Ireland v. United Kingdom)*

43. On 9 November 2001, a Request for the prescription of provisional measures under article 290, paragraph 5, pending the constitution of an arbitral tribunal to be established under Annex VII of the Convention, was submitted to the Tribunal by Ireland against the United Kingdom of Great Britain and Northern Ireland in the dispute concerning the MOX plant located at Sellafield, Cumbria, United Kingdom, international movements of radioactive materials, and the protection of the marine environment of the Irish Sea between Ireland and the United Kingdom. The Request was accompanied by a copy of a document dated 25 October 2001, instituting arbitral proceedings against the United Kingdom. The Request was entered in the List of Cases as Case No. 10 and named the *MOX Plant Case*.

44. In its request, Ireland nominated Alberto Székely as judge ad hoc. Mr. Székely was admitted to participate in the case as judge ad hoc after having made a solemn declaration at a public sitting of the Tribunal held on 19 November 2001.

45. By Order of 13 November 2001, the President fixed 19 and 20 November 2001 as the dates for the hearing.

46. The United Kingdom filed its Written Response on 15 November 2001.

47. Prior to the opening of the hearing, the Tribunal held initial deliberations on 18 November 2001.

48. The Tribunal heard oral arguments from the parties at four public sittings on 19 and 20 November 2001. Final submissions were made by each party at the end of the hearing.

49. On 3 December 2001, the Tribunal delivered its Order in the case.

50. As decided by the Tribunal in its Order of 3 December 2001, Ireland and the United Kingdom, by communications dated 17 December 2001, each submitted the initial report referred to in article 95, paragraph 1, of the Rules.

VI. Communications from parties to cases concerning action taken pursuant to judgements and orders of the Tribunal

51. In 2001, the Tribunal received communications from parties on matters relating to compliance with judgements and orders with respect to the following cases:

(a) In the *M/V "Saiga" (No. 2) Case*, Saint Vincent and the Grenadines, by a communication dated 12 April 2001, informed the Tribunal that the parties to the case had reached an amicable agreement between themselves for the resolution of outstanding issues in respect of the implementation of the judgement of the Tribunal of 1 July 1999;

(b) In the *"Monte Confurco" Case*, by a communication dated 12 January 2001, Seychelles informed the Tribunal of developments concerning judicial proceedings with respect to the vessel and the Master before French courts.

VII. Committees

52. During its twelfth session, the Tribunal reconstituted its committees for the period ending 30 September 2002.[3]

A. Committee on Budget and Finance

53. The members of the Committee on Budget and Finance are: Judge Wolfrum, Chairman; Judges Yankov, Mensah, Akl, Anderson and Jesus, members.

B. Committee on Rules and Judicial Practice

54. The members of the Committee on Rules and Judicial Practice are: President Chandrasekhara Rao, Chairman; Vice-President Nelson; Judges Caminos, Yankov, Mensah, Akl, Anderson, Vukas, Treves (ex officio), Eiriksson, Ndiaye, Jesus and Xu, members.

C. Committee on Staff and Administration

55. The members of the Committee on Staff and Administration are: Judge Mensah, Chairman; Judges Caminos, Yamamoto, Kolodkin, Bamela Engo, Marsit, Eiriksson and Xu, members.

D. Committee on Library and Publications

56. The members of the Committee on Library and Publications are: Judge Park, Chairman; Judges Caminos, Marotta Rangel, Anderson, Vukas, Wolfrum, Treves, Marsit and Ndiaye, members.

E. Committee on Buildings and Electronic Systems

57. The members of the Committee on Buildings and Electronic Systems are: Vice-President Nelson, Chairman; Judges Yankov, Mensah, Akl, Wolfrum, Marsit and Eiriksson, members.

VIII. Rules of the Tribunal and supplementary documents

A. Costs to be borne by parties

58. During the eleventh and twelfth sessions, the Committee on Rules and Judicial Practice considered the question of costs to be borne by parties on the basis of a report submitted by Judge Anderson. It was considered that there existed a need to develop general criteria to assist the Tribunal in fixing the amount that would need to be contributed towards the expenses of the Tribunal further to article 19, paragraph 2, of the Statute, when an entity other than a State Party or the International Seabed Authority is a party to a case submitted to the Tribunal.

59. The Tribunal decided that the item needed to be discussed further at its thirteenth session.

B. Preparation of typed and printed texts

60. During its twelfth session, the Tribunal approved the Rules for the Preparation of Typed and Printed Texts. These Rules have been drawn up pursuant to paragraph 1 of the Guidelines concerning the Preparation and Presentation of Cases before the Tribunal. The Guidelines require parties to a case before the Tribunal to consult these Rules in the preparation of their written pleadings and supporting documents. The Rules for the Preparation of Typed and Printed Texts were issued on 27 September 2001 and can be obtained from the Registry or from the Tribunal's web sites: www.itlos.org or www.tiddm.org.

C. Bonds and other financial security

61. During the eleventh session of the Tribunal, the Chairman of a working group on bonds and other financial security presented a report on the matter.

62. At its twelfth session, the Tribunal decided to postpone consideration of the issue to its thirteenth session. Judge Akl was invited to prepare a background paper on the matter for the consideration of the Tribunal at that session.

D. Guidelines concerning citations used to refer to cases submitted to the Tribunal

63. During the eleventh session of the Tribunal, on the recommendation of the Committee on Rules and Judicial Practice, the Tribunal adopted guidelines concerning citations used to refer to cases submitted to the Tribunal.

E. Time factors in prompt release cases

64. During its eleventh session, the Tribunal requested the Committee on Rules and Judicial Practice to consider the papers submitted by the President of the Tribunal and Judges Akl, Anderson and Treves concerning time factors in the handling of cases involving applications for prompt release of vessels and crews under article 292 of the Convention.

65. On the basis of the recommendations made by the Committee, the Tribunal, on 15 March 2001, amended articles 111 and 112 of the Rules of the Tribunal with immediate effect. The amendments reflect the experience gained in handling prompt release cases. Slightly more time is given to the respondent to prepare its statement in response, to the applicant to examine the statement in response before commencing its arguments during the oral proceedings, and to the judges to conclude their deliberations and draft the text of the judgement.

F. Procedure for the election of the Registrar

66. During its twelfth session, the Tribunal considered a report by the Registry on the term of office and retirement age of the Registrar, based on a study of the conditions of service of Registrars in international courts. On 21 September 2001, the Tribunal adopted an amendment to article 32, paragraph 1, of the Rules of the Tribunal, reducing the terms of office of the Registrar and the Deputy Registrar from seven to five years, with immediate effect.

G. Authorization to submit an application on behalf of the flag State under article 292 of the Convention

67. At its eleventh session, the Tribunal began consideration of the issue of authorization to submit an application on behalf of the flag State under article 292 of the Convention. At the twelfth session, a report presented by the President of the Tribunal on the issue was considered by the Committee on Rules and Judicial Practice. On the basis of that report, the Tribunal adopted a decision providing guidance to the Registrar on the matter.

IX. Privileges and immunities

A. General Agreement

68. The Agreement on the Privileges and Immunities of the International Tribunal for the Law of the Sea, adopted by the Seventh Meeting of States Parties on 23 May 1997, was deposited with the Secretary-General of the United Nations and opened for signature at United Nations Headquarters for 24 months as from 1 July 1997.[4] The Agreement entered into force on 30 December 2001, 30 days after the date of deposit of the tenth instrument of ratification or accession. At the closing date for signature, 21 States had signed the Agreement. As at 31 December 2001, ten States had ratified it or acceded to it.

B. Headquarters Agreement

69. During the period under review, negotiations continued with the German authorities on the Headquarters Agreement between the Tribunal and the Federal Republic of Germany.

X. Relations with the United Nations and other organizations

A. Observer status in the General Assembly

70. A statement by the President of the Tribunal addressed to the General Assembly at its fifty-sixth session was circulated under agenda item 30, entitled

"Oceans and the law of the sea". The President of the Tribunal could not deliver his statement in person since the Tribunal was engaged in hearing the *MOX Plant Case*.

B. Relationship with the United Nations

71. By exchange of letters dated 26 May 2000 and 12 June 2001, an agreement was concluded between the Tribunal and the United Nations to extend the competence of the United Nations Administrative Tribunal to the staff of the Registry.

C. Relationship with other organizations and bodies

72. The Registrar reported to the Tribunal, at its eleventh and twelfth sessions, on contacts made as regards possible relationship arrangements with the Food and Agriculture Organization of the United Nations (FAO), the Intergovernmental Oceanographic Commission (IOC) of the United Nations Educational, Scientific and Cultural Organization (UNESCO), the International Seabed Authority and the International Maritime Organization (IMO).

73. During the reporting period, the International Hydrographic Organization (IHO) was also approached with a view to establishing a working contact.

XI. Premises of the Tribunal

74. The terms and conditions under which the premises are made available by the Federal Republic of Germany to the Tribunal are established in the Agreement of 18 October 2000 between the International Tribunal for the Law of the Sea and the Government of the Federal Republic of Germany on the Occupancy and Use of the Premises of the International Tribunal for the Law of the Sea in the Free and Hanseatic City of Hamburg.

75. In accordance with article 4 of that Agreement, a letter dated 6 November 2001 was sent to the competent German authorities raising questions relating to the conformity of the premises with applicable building regulations and standards.

XII. Finances

A. Budget

1. Budget for 2002

76. The budget proposals for 2002, approved by the Tribunal at its eleventh session, were submitted to the Eleventh Meeting of States Parties. The proposals, involving an amount of US$ 7,807,500, were based on the principle of zero growth of the overall budget. Moreover, compared to the approved budget for 2001, there was a decrease of $283,400 in the proposed budget for 2002.

77. The Meeting of States Parties approved the budget as proposed by the Tribunal. The approved budget provided for recurrent expenditure of $6,522,400, including $1,808,100 for the remuneration, travel and pension of the judges and $2,916,900 for salaries and related costs of staff, and non-recurrent expenditure of $340,800. The Meeting of States Parties also approved $894,300 as contingency to

be used in the event of cases being submitted to the Tribunal. The Meeting of States Parties further approved an additional amount of $50,000 for advances to the Working Capital Fund of the Tribunal in 2002 in order to build up the Fund to the recommended level of $650,000.[5]

2. Budget proposals for 2003

78. At the twelfth session of the Tribunal, the Committee on Budget and Finance gave preliminary consideration to the budget for 2003.

3. Report on budget performance

79. At its eleventh session, the Tribunal considered the report presented by the Registrar concerning the performance of the budget as at 5 March 2001.

B. Status of contributions

80. As at 31 December 2001, 52 States Parties had made their contributions to the 2001 budget in the full amount assessed totalling $7,448,449, while 67 States Parties had not made any payments with respect to their assessed contributions for 2001. The balance of unpaid contributions with respect to the 2001 budget was $642,792.

81. Furthermore, assessed contributions amounting to $671,524 in respect of the 1996-1997, 1998, 1999 and 2000 budgets were still pending as of 31 December 2001.

82. The balance of unpaid contributions with respect to the overall budget of the Tribunal amounted to $1,314,316.

C. Reports of the Auditor for 1999 and 2000

83. In accordance with the Financial Regulations of the United Nations, which are applicable mutatis mutandis to the Tribunal, arrangements were made for the accounts of the Tribunal to be audited by an internationally recognized auditing firm.

84. The report of the External Auditors for the financial year 1999 had initially been made available to the Tenth Meeting of States Parties in 2000. In the light of the information provided by the Registrar that the Tribunal had not had an opportunity to review it, the Meeting decided to defer consideration of the audit report for 1999 until the Eleventh Meeting of States Parties. Following an introduction by the Registrar, the Eleventh Meeting of States Parties considered and took note of the report.

85. The audit report for the financial year 2000 was presented by the Registrar at the twelfth session of the Tribunal. The Auditor, having reviewed the transactions and operations over that period, was satisfied that the financial statements presented fairly, in all material respects, the financial position of the Tribunal, and that they were in conformity with generally accepted accounting principles and with the Financial Regulations of the United Nations, which applied mutatis mutandis. The Tribunal took note of the audit report for 2000 and requested that the report be submitted to the Twelfth Meeting of States Parties.

86. At its eleventh session, the Tribunal requested the Registrar to seek bids in relation to the audit of the 2001 accounts of the Tribunal. At its twelfth session, the Tribunal authorized the appointment of a new auditor for the financial year 2001.

D. Financial Regulations

87. Pending approval of the Financial Regulations of the Tribunal by the Meeting of States Parties, the Financial Regulations and Rules of the United Nations apply mutatis mutandis.

E. Trust funds and donations

88. On 30 October 2000, the General Assembly, in its resolution 55/7, entitled "Oceans and the law of the sea", requested the Secretary-General to establish and administer a voluntary trust fund to assist States in the settlement of disputes through the Tribunal. The Trust Fund was thereafter established and is operational.

89. In 2001, two contributions were made to the Fund by the Government of the United Kingdom.

F. Remuneration of judges ad hoc

90. The Eleventh Meeting of States Parties adopted a decision on the remuneration of judges ad hoc. At its twelfth session, the Tribunal approved a recommendation of its Committee on Budget and Finance concerning the implementation of the decision.

XIII. Administrative matters

A. Staff Regulations and Rules

91. During the twelfth session of the Tribunal, the Registrar reported to the Tribunal on the establishment of an Appointment and Promotion Board and a Subsidiary Panel in accordance with the Staff Rules of the Tribunal. Based on the recommendation of the Committee on Staff and Administration, the Tribunal, during its Twelfth Session, approved amendments to the Staff Regulations of the Tribunal dealing with the number of official holidays and the salary scales for staff in the Professional and higher categories.

92. Based on the recommendation of the Committee on Staff and Administration, the Tribunal, during its twelfth session, also approved amendments to the Staff Rules of the Tribunal dealing with the Appointment and Promotion Board and the Subsidiary Panel. Moreover, a technical correction was made to Appendix B and amendments reflecting changes to the United Nations Staff Rules were adopted.

B. Staff recruitment

93. The Tribunal continued the recruitment process for both Professional and General Service staff. As at the end of 2001, the status of the recruitment process was as follows:

(a) Recruitment completed for two posts of Legal Officer at the P-4 level;

(b) Recruitment completed for one General Service post.

94. Temporary personnel were recruited to assist the Tribunal in connection with the *"Grand Prince" Case* and the *MOX Plant Case* and during its eleventh and twelfth sessions.

C. Internship programme

95. Modelled on the United Nations internship programme, an internship programme of the Tribunal was established in 1997. During 2001, 23 persons served different periods of internship at the Tribunal. The Tribunal also approved changes to the internship programme based on the recommendation of the Committee on Staff and Administration.

96. An information sheet and application form concerning the programme can be obtained from the Registry or from the Tribunal's web sites: www.itlos.org or www.tiddm.org.

XIV. Buildings and electronic systems

A. Requirements for the permanent premises

97. During the eleventh and twelfth sessions of the Tribunal, the Registrar presented reports to the Tribunal on the requirements for the permanent premises. The Registrar was requested to take appropriate action.

B. Public access

98. The Tribunal gave consideration to the issue of access to the premises by the general public. Based on recommendations of the Committee on Buildings and Electronic Systems and suggestions by the Registrar, the Tribunal at its eleventh and twelfth sessions reviewed the conditions concerning guided tours for the general public and for groups of visitors interested in the Tribunal. The Tribunal also planned to hold an open day in 2002.

C. Use of the premises

99. The following events were organized at the premises of the Tribunal during 2001:

(a) From 16 to 19 March, the Center for Oceans Law and Policy of the University of Virginia School of Law held its annual conference;

(b) On 15 June, Zeit Foundation scholarship holders held a meeting on "The role of global sea law and international organizations";

(c) On 23 August, a seminar on "Supranational courts of justice" was held in connection with the Bucerius Summer School on International Governance.

D. Artwork

100. In 2001, the Tribunal received a gift of an embroidered stand from the Government of the People's Republic of China. The screen was created by masters of embroidery from the City of Suzhou in the People's Republic of China.

101. Also in 2001, the Tribunal received on permanent loan from the shipping company Hapag-Lloyd a painting entitled "Acaba de pasar" by Mari Carmen Hernández of Mexico.

XV. Balance between official languages of the Tribunal

102. The Registrar reported to the Tribunal at its eleventh and twelfth sessions on steps taken to ensure a better balance between the two official languages of the Tribunal.

103. French courses have commenced at the Tribunal and English courses will soon follow. In addition, the Tribunal has been designated as an official test centre for the language proficiency examinations of the United Nations.

XVI. Library facilities

104. During the eleventh and twelfth sessions, the Registrar reported on several matters pertaining to the Library, including the online database, the Library budget and security system. The Committee on Library and Publications considered the reports of the Registrar and made recommendations, inter alia, in respect of the budget of the Library. The Tribunal adopted the recommendations.

105. A list of donors to the Library is contained in the annex to the present report.

XVII. Publications

106. The status of the Tribunal's publications was reviewed by the Committee on Library and Publications during the eleventh and twelfth sessions of the Tribunal.

107. During the period under review, the following volumes were published:

(a) *Yearbook 1999*;

(b) *Pleadings, Minutes of Public Sittings and Documents 1997, M/V "Saiga" (Saint Vincent and the Grenadines* v. *Guinea), Prompt Release*;

(c) *Reports of Judgements, Advisory Opinions and Orders 1998*.

XVIII. Public information and web site

108. The Tribunal publicized its work by means of press releases and briefings by the Registry and through the distribution of its judgements, orders and publications.

109. The Tribunal also started operating its own web site. The web site can be accessed through the following addresses: www.itlos.org or www.tiddm.org. The texts of the judgements, orders and verbatim records of hearings of the Tribunal are available on the web site together with other information about the Tribunal.

110. In 2001, judges also delivered addresses and published papers on the work of the Tribunal.

XIX. Fifth anniversary of the Tribunal

111. On 18 October 2001, the Tribunal issued a press release on the occasion of the fifth anniversary of the Tribunal.

XX. Future work

112. The Tribunal decided to hold its thirteenth session from 4 to 15 March 2002 to deal with organizational and administrative matters and other matters having a bearing on its judicial work.

Notes

[1] SPLOS/73, paras. 108-109.

[2] For the composition of the Special Chamber, see para. 29.

[3] For the terms of reference of the committees, see SPLOS/27, paras. 27-40, and SPLOS/50, paras. 36-37.

[4] SPLOS/24, para. 27.

[5] SPLOS/73, para. 33.

Annex

List of donors to the Library of the International Tribunal for the Law of the Sea during 2001*

Professor Jean-Pierre Beurier, Centre de droit maritime et océanique, Nantes, France

Mr. Heinz Jürgen Brockmöller, Rechtsanwalt und Notar, Lüneburg, Germany

Mr. Wolfgang E. Burhenne, IUCN Commission on Environmental Law, Bonn, Germany

Professor Richard Chemaly, Faculté de droit et des sciences politiques, Université Saint-Joseph, Beirut

Center for Oceans Law and Policy, University of Virginia School of Law, Charlottesville, Virginia, United States of America

Comité Maritime International, Antwerp, Belgium

Economic Court of the Commonwealth of Independent States, Minsk

European Commission, Directorate General for Fisheries, Brussels

Mr. Miguel García García-Revillo, Universidad de Córdoba, Facultad de Derecho, Cordoba, Spain

The Indian Society of International Law, New Delhi

Institute of International Public Law and International Relations of Thessaloniki, Thessaloniki, Greece

Inter-American Court of Human Rights, San José, Costa Rica

Inter-American Tropical Tuna Commission, La Jolla, California, United States of America

Inter-Parliamentary Union, Geneva

International Tribunal for Rwanda/Tribunal Pénal International pour le Rwanda, Arusha

International Tribunal for the Former Yugoslavia/Tribunal Pénal International pour l'ex-Yougoslavie, The Hague

International Maritime Organization, London

International Seabed Authority, Kingston, Jamaica

Japanese Branch of the International Law Association, University of Tokyo, Faculty of Law, Tokyo

Professor Barbara Kwiatkowska, The Netherlands Institute for the Law of the Sea, Utrecht, The Netherlands

Professor Dr. Rainer Lagoni, Institut für Seerecht und Seehandelsrecht der Universität Hamburg, Hamburg

* The list of donors does not take into account donations from members of the Tribunal and staff of the Registry.

Dr. Torsten Lörcher, Norton Rose Vieregge, Cologne, Germany

Mare, Die Zeitschrift der Meere, Hamburg, Germany

Max-Planck-Institut für ausländisches öffentliches Recht und Völkerrecht, Heidelberg, Germany

Professor Francisco Orrego Vicuña, School of Law and Institute of International Studies of the University of Chile, Santiago

Ms. Annebeth Rosenboom, Kluwer Law International, The Hague

Mr. Olaf Schram-Stokke, Fridtjof Nansen Institute, Oslo

Professor Hugh W. A. Thirlway, Visiting Fellow, E. M. Meijers Institute of Legal Studies, University of Leiden, Leiden, The Netherlands

United Nations Environment Programme, Nairobi

United States Naval War College, Oceans Law and Policy Department, Newport, Rhode Island

University of Wisconsin Law Library, Madison, Wisconsin, United States of America

Dr. Michael White QC, University of Queensland, Queensland, Australia

Walther-Schücking-Institut für internationales Recht an der Universität Kiel, Kiel, Germany